



Anti-Discrimination Centre Memorial

Submission to the Human Rights Council
for the 44th Session of the Universal Periodic Review
(Fourth cycle, November 2023)

Republic of Uzbekistan **Discrimination based on ethnicity and gender/SOGI**

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31 March 2023

1. Anti-Discrimination Centre (ADC) Memorial¹ made this submission on the problems of discrimination based on sex/gender/SOGI, ethnic identity and language in the Republic of Uzbekistan.

I. Discrimination of ethnic minorities

1. Overview of the ethnic composition

2. In multinational Uzbekistan, many ethnic groups used to live in historic enclaves (Tajik-speaking groups in Samarkand and Bukhara areas, Karakalpaks in Karakalpakstan, Kazakhs and Russians mainly in the Tashkent area; Mugat/Luli in segregated settlements throughout the country). Other peoples turned out in Uzbekistan due to Soviet repressions (Koreans deported from Far East; Chechens, Ingush, and Balkars deported from the Caucasus; Crimean Tatars from Crimea; Germans from the Volga regions). In the recent decades, the population of some minorities significantly decreased: The number of Russians decreased from 1,6 million to 720 thousand; almost all Yahudy (or Bukhara Jews) who used to live in large communities in Bukhara and Samarkand areas emigrated to Israel or the USA; Germans and Crimean Tatars mostly left. The modern ethnic composition of Uzbekistan was influenced in 2022-2023 by a significant (more than 300,000 people) temporary immigration from Russia due to the war.
3. The census of Uzbekistan has not been conducted since 1989 and is scheduled for 2023. Preliminary official results of the ethnic composition were published as of January 1, 2021: Total 34.6 million people; Uzbek majority 84.4% (29.2 million); Tajiks 4.9% (1.7 million); Kazakhs 2.4% (821.2 thousand); Karakalpaks 2.2% (752.7 thousand); Russians 2.1% (720.3 thousand); less than 1% – Kyrgyz (291.6 thousand), Turkmen (206.2 thousand), Tatars (187.3 thousand), Koreans (174.2 thousand); less than 0.5% – Ukrainians (67.9 thousand), Azerbaijanis (41.2 thousand), Belarusians (18.5 thousand); others – in total 4.1% (426.4 thousand). Mugat/Luli are not mentioned in the published data, although their number is quite significant (at least 70 thousand).
4. These data do not fully reflect the true situation, since the identity mentioned in passports is taken into account, while some minorities are forced to indicate the nationality of "Uzbeks" in their passports (for example, Tajiks, Karakalpaks, Bukhara Jews – Yahudi). On the other hand, the mandatory indication of nationality without the possibility of personal choice serves as an additional source of discrimination against vulnerable minorities (for example, Mugat/Luli cannot declare themselves as Uzbeks). Field data collected by ADC Memorial (2019) show that some minorities consider their official numbers to be underestimated. Thus, Karakalpaks believe that they make up more than 1/3 of the population of Karakalpakstan, while officially they are only 14-18%. According to some estimates, the number of Tajiks is up to a quarter or even a third of the population of Uzbekistan (against the official 4.9%). Disaggregated data on the ethnic composition of the population of Uzbekistan are unknown.

2. The problem of education in minorities' languages

5. The only language used in the official sphere is Uzbek; Russian still remains a language of interethnic communication, without an official status. Uzbekization primarily affected language policy and reduced education in minority languages. Thus, in the areas of Bukhara and Samarkand, where most of the population considers Tajik as their native language (sometimes calling it "Bukharian"), but the language of instruction in schools is Uzbek, less often Russian. Field surveys (2019) documented complaints of the locals about the lack of media, TV and radio programs in their native language. The language of the unique culture of Yehudy / Bukhara Jews (a Samarkand-Jewish Tajik dialect) is almost lost.
6. The decline in the Korean population of Uzbekistan is connected inter alia to the problem of language. Only the older generation speaks Korean, while the majority of Koreans switched to Russian, since children were not taken to Uzbek schools, and there have never been Korean ones. Koreans often remain stateless, as they have not been documented with Uzbekistan passports. Many Koreans

¹ Anti-Discrimination Centre (ADC) Memorial is a Human Rights NGO defending the rights of minorities and vulnerable groups (such as representatives of ethnic minorities and indigenous peoples, migrants, stateless persons, LGBTI+ and others) and fighting against any form of racism, sexism, homophobia and xenophobia in the former Soviet Union through advocacy, litigation assistance, Human Rights education, research and publications (see more: <https://adcmemorial.org/>).

complain about non-recognition of their culture, religion, lifestyle, and are looking for opportunities to leave Uzbekistan.

7. The Russian population of Uzbekistan is in a better position than all other ethnic minorities: there are quite a lot of Russian schools or classes, several Russian theatres, no problem with access to the media in Russian. Nevertheless, before Russia's invasion to Ukraine and mass emigration from Russia due to mobilization, Russian respondents, especially young ones, complained about the deterioration of their situation and sought to leave Uzbekistan. Russian speakers, for example, are not accepted to be employed in state institutions, even as teachers of the Russian language in Russian schools (the Russian language is often taught by Uzbek teachers who do not have enough competence).
8. Similar problems in employment are faced by ethnic Kazakhs who receive education in Russian or Kazakh (although the number of schools with the Kazakh language of instruction has been declining in recent years). Young people often seek to leave for Kazakhstan to receive higher education and be employed there.

2. Escalation of repression in Karakalpakstan: brutal suppression of the mass protests (2022)

9. The policy of Uzbekization and restricting autonomy in Karakalpakstan led to mass protests on July 1-3, 2022 in Nukus, brutally suppressed by law enforcement and army units who used tear gas, smoke bombs, stun grenades, rubber bullets, firearms. According to official [data](#), 21 people were killed, including 4 law enforcement officers, 243 were injured, 516 were arrested. However, many locals believe that there were many more victims. According to local [doctors](#), during the first two days of the protests, 77 people were killed. To bury the victims, their relatives were reportedly forced to sign a confirmation that the victims died while being drunk or drugged. The authorities forced to bury the victims quickly, not allowing their families to observe the traditional rituals or order an independent forensic. Some families of the victims were offered money for silence.
10. The protests were caused by the proposed amendments to the Constitution, including to Articles 70-75 which would abolish the sovereign status of the Republic of Karakalpakstan within Uzbekistan. The bill was not provided for wide public discussion; the Karakalpak population was not involved into the preparation of the draft. Although the President of Uzbekistan announced withdrawal of the amendments immediately during the protests, this decision did not reach the residents of Karakalpakstan quickly due to the total information blockade of the Republic, nor police violence stopped.
11. 171 protesters appeared to be on trial. On January 31, 2022, the court sentenced the first group of 22 defendants. 17 of them received real terms of imprisonment up to 8 years; the protest leader Dauletmurat Tazhimuratov was sentenced to 16 years in prison. Experts [pointed](#) out to the political motivation, injustice, bias and absurdity of the charges; a fair trial would acquit all or most of the defendants. In February-March 2023, the court considered cases against the second group of 39 defendants. Although the Prosecutor General's Office [reported](#) about detention of three security officers who allegedly exceeded their powers and used weapons against demonstrators, a legal assessment of their actions has not yet been made.
12. The situation of freedom of speech and association in Karakalpakstan is alarming: a clear message has been sent to the society that any criticism of the government in the media or social networks, or peaceful protest actions, or expression of oppositional opinions will cause a harsh reaction from the state. Meanwhile, various problems of Karakalpakstan (guarantees of the autonomy, overcoming the ecological catastrophe in the Aral Sea region, the need to support initiatives for the preservation and development of the Karakalpak language and culture, etc.) require open public discussion, consensus and guarantees of the rights of the Karakalpak population.

3. Discrimination of Mugat/Luli

13. Mugat (a Roma-like group, called also Luli or "Central Asian Gypsies") live all over Uzbekistan in more or less closed communities in a number of 70,000 (state response of the Republic of Uzbekistan to the UN CERD, 2019) but it might be more. This minority has specific problems of structural

- discrimination in all ex-Soviet countries of Central Asia.
14. Often, Mugat reside in unregistered homes at the constant risk of demolition and eviction; in such case they do not receive any compensation and must pay the costs of the demolition (cf., the case of the settlement near Tashkent, 2018-2019). Due to extreme poverty, many of them cannot pay for electricity and heating. Poor nutrition and living conditions lead to health problems, while Mugat often cannot receive free medical care.
 15. In 2021, the UN CERD assessed Uzbekistan's implementation of the priority recommendations given in December, 2019. The Committee found unsatisfactory the response of the authorities to questions about the observance of the rights of Mugat/Luli. No clear explanations were given on the fact that only about 36% of the almost 70,000 Mugat have personal documents. The poor statistics on the number of Mugat children in schools (only on one district in Tashkent region) also did not convince the Committee, as well we unsubstantiated statements that Mugat enjoy all rights on an equal basis with all citizens of the country.
 16. Field data of ADC Memorial show that many Mugat children do not get school education (e.g., in Kagan – less than 20% are involved into schooling; the same in a number of Mugat settlements in Tashkent area), or are segregated (e.g., in Samarkand). Children study in Russian or Uzbek, although they do not speak these languages before (the native language of many of them is a dialect of Tajik, but Tajik is not in the curriculum).
 17. Mugat are engaged into low-paid and low-skilled areas, such as waste collection; they often have to earn money by begging. While in the Soviet era Mugat worked en masse in collective farms or factories, now families have to survive in labor migration to Russia, where they also manage to find only low-skilled work (washing subway cars, collecting scrap metal, etc.). Similarly as for millions of labor migrants, the situation of Mugat has worsened due to the pandemic. Some other professional opportunities for Mugat are closed: for example, young Mugat men complain that they are not taken to military service.
 18. Mugat women and girls face multiple discrimination, based on both gender and ethnicity. Predominantly women are not educated and have problems with personal documents; they are often discriminated in receiving medical treatment and realization of social guarantees. Women and girls are suffering from harmful traditional practices (early and forced marriages, polygamy). While they frequently become victims of domestic violence, the authorities do not take enough protective measures. Strict police control over the location of Mugat at the place of registration leads to the situation that women suffering from domestic violence cannot leave a dangerous home; at the same time, women who manage to escape often cannot prove their parental rights, due to the lack of personal documents for themselves and their children.

II. Discrimination based on gender and/or SOGI

1. Insufficient participation of women in public and political life

19. In recent years, significant social and economic reforms concerning the situation of women have been declared in Uzbekistan. Thus, the National Development Strategy 2017-2021 introduced an article on guarantees of equal rights and opportunities for women and men; the Strategy for Achieving Gender Equality in Uzbekistan until 2030 was approved (2021); the presidential Decree (2019) on lifting restrictions on women's participation in all spheres of the economy, expanding women's participation in the economy, information and educational campaigns to promote women's leadership and entrepreneurship was adopted; the Law on Guarantees of Equal Rights and Opportunities for Women and Men was adopted (2019); formally, the List of professions prohibited for women was cancelled (2019).
20. The reforms, despite their importance, appeared to be rather declarative. Thus, the political representation of women has really increased: thanks to quotas, their number in the lower chamber of parliament has increased from 16% (2017) to 32% (48 deputies, 2019), which allowed Uzbekistan to be in the 37th place among 190 parliaments of the world (OSCE, 2020). But there are still few women in leadership positions, especially in local authorities. For example, for a long time (no less than the last 15 years) there were no women in the positions of khokims (heads of district administrations) at all, and only in 2020, 6 appointments were dated to the 8th of March – International Women's Day, which looks like a campaign (however, these 6 women were only 3,7% of the 162 district khokims in the country, media reportage, 2020).

2. Gender inequality in employment

21. Women still occupy traditional and low-paid niches (agriculture, education, healthcare, social care), while their representation in such areas as natural sciences, technology, engineering, mathematics, IT, transport, construction, communications is insufficient. The number of working women in Uzbekistan is 28% lower than the number of men (The study "Listening to the citizens of Uzbekistan", L2CU, 2018).
22. Traditional gender norms that provoke discrimination in the labor sphere prevail in society, as shown by various studies² and statistics. In Uzbekistan, the level of formal unemployment among women is 12.8% which is much higher than 6% among men and the average of 9% (State Statistical Committee of Uzbekistan, 2019). The gender pay gap remains huge: 39% (State Statistical Committee of Uzbekistan, 2018). Uzbekistan has a high birth rate, respectively, there is high risk of poverty for the families where women are not employed.
23. Although the discriminatory wording used in the article 225 from the previous Labor Code was excluded, in the new versions of the Labor Code there are still conditions for professional prohibitions for women, again explained by “concern for reproductive health”.
24. Thus, in the new editions of the Labor Code adopted in 2019 and 2020, there are articles 427 and 422 respectively, entitled "Additional measures for the protection of working women", which establish the right of the employer to introduce “a list of individual jobs with unfavorable working conditions in which the use of women's labor is restricted”, “taking into account the recommendations approved by the Ministry of Employment and Labor Relations and the Ministry of Health in coordination with the Republican Commission on Social and Labor Issues”.
25. The recommendations, however, imposed the new list of prohibited professions that was approved in 2019 instead of the abolished previous one³. The strict bans were just renamed to “The List of professions and jobs that may adversely affect women’s health, and which are not recommended for women’s employment.”⁴ It consists of 453 “not recommended” jobs/professions/spheres including well-paid and prestigious positions in transport, aviation, mining etc., alleged in order “to save life and reproductive health of women”.

3. Discrimination based on SOGI

26. LGBTI+ in Uzbekistan regularly endure numerous violations of their rights, homophobia, and discrimination in all areas of life, including employment, education, family life, personal interactions, and commercial and state services. The authorities ignore recommendations of international bodies concerning the situation of LGBTI+; in particular, the odious Art.120 of the Criminal Code criminalizing consensual same-sex sexual relations of adult men has not yet been abolished. NGOs protecting LGBTI+ rights do not have opportunity to register and work openly.⁵

² For instance, [Asian Development Bank Country Gender assessment](#) (ADB, 2018); [Muradova, Sevilya; Seitz, William. 2021. Gender Discrimination in Hiring : Evidence from an Audit Experiment in Uzbekistan](#). Policy Research Working Paper; No. 9784. World Bank, Washington, DC. © World Bank. License: CC BY 3.0 IGO.

³ Order of the Ministry of Employment and Labor Relations and Ministry of Health, «[On abolition of the List of professions and jobs that have adverse effect on women’s health at which is fully or partly forbidden to use women’s labor](#)», N 22-2019-κ/κ, 27 May 2019.

⁴ Order of the Ministry of Employment and Labor Relations and Ministry of Health, «[On adoption of List of professions and jobs that have adverse effect on women’s health, and at which is not recommended to use women’s labor](#)», 29 July 2019.

⁵ “LGBTI+ in the region of Central Asia: repressions, discrimination, exclusion”, [report](#) of ADC Memorial and regional partners, 2020.

Recommendations

- Adopt comprehensive antidiscrimination legislation.

- Immediately stop repressions and arbitrariness against the Karakalpak population; investigate cases of violence and torture during the suppression of protests on July 1-3, 2022; ensure transparency of court hearings, unhindered work of lawyers, human rights defenders, journalists; bring to justice officials responsible for the violence. Facilitate participation of international observers, representatives of international human rights institutions and organizations with a considerable reputation in the investigation and post-conflict peace-building.
- Adopt and implement an action plan on comprehensive improvement of the situation of Mugat/Luli, with special focus on women and girls. The positive measures should solve the problem of personal documents and housing, provide access to high-quality school education and medical and social assistance, guarantee protection for women and children from multiple discrimination and harmful traditional practices.
- Guarantee linguistic rights of ethnic minorities: ensure that minority languages can be studied in schools; create tools to assess the effectiveness of instruction in minority languages; support publication of books, media, and other materials in the languages of ethnic minorities; ensure that teachers of ethnic minority languages receive a high professional level of training.

- Repeal all professional bans for women. Open education and job opportunities for women who want to be employed on previously forbidden jobs, through wide information campaigns.

- Decriminalize consensual same-sex relationships between adult men: Revoke Art.120 of the Criminal Code of Uzbekistan. Stop repressive practices and harassment based on SOGI on the part of law enforcement agencies. Take measures to eliminate homo-, bi-, lesbian-, transphobia in society and among workers at law enforcement, judicial and other state agencies, and media outlets. Prosecute officials, public figures, and authors of publications in the media and online for calls to violence and the use of hate speech. Effectively investigate crimes against LGBTI+, with mandatory consideration of the motive of hate. Create conditions for the unhindered work of NGOs, LGBTI+ rights defenders and activists.